

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:18cv294-RJC

THIS MATTER is before the Court on the United States of America's Motion pursuant to Fed. R. Civ. P. 55(b)(2), for Default Judgment in this case. (Doc. No. 8). For good cause shown, the Court will GRANT the Motion and enter Default Judgment. In support hereof, the Court finds as follows:

I. Background

On June 6, 2018, the Government filed a verified Complaint for Forfeiture *In Rem* of the above-captioned funds (hereafter “Funds”). (Doc. No. 1). The Government contended that the Funds constituted, derived from, or were traceable to proceeds in violation of a specified unlawful activity related to narcotics trafficking. Thereafter, the Clerk issued a Warrant of Arrest In Rem for the Funds. (Doc. No. 2).

Then, the Government provided notice by publication as to all persons in the world with potential claims to the Funds. Specifically, from June 7, 2018 through July 6, 2018, the Government published notice via www.forfeiture.gov as shown on the Submission of Declaration of Publication dated and filed on July 12, 2018. (Doc. No. 3). Based on that notice, the deadline for filing claims was August 6, 2018. The Government also submitted documentation of direct notice to individuals and entities with potential claims to the Properties as shown on the Notice of

Service (Direct Notice) and filed on July 12, 2018. (Doc. No. 4). Specifically, the Government provided direct notice to the following individuals and entities:

Clyde Anderson
Isaac Safier, Esq.

Based on the foregoing, process has been fully issued and returned according to law and no other claims have been filed within the time period provided by law. Therefore, on September 10, 2018, on Motion of the Government, (Doc. No. 5), the Clerk of Court entered a default pursuant to Fed. R. Civ. P. 55(a), (Doc. No. 6). Thus, default judgment is now appropriate.

II. Legal Conclusions

Fed. R. Civ. P. 55(b) provides for entry of the requested Default Judgment by the Court. Here, the United States has provided notice of forfeiture in accordance with Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G. Further, the time period for filing claims has expires, and no claims have been filed. Finally, the Clerk has entered default. Therefore, the requested Default Judgment is appropriate.

BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the Government is entitled to a Judgment of Forfeiture by Default against the Defendant Property.

JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Government's Motion for Default Judgment, (Doc. No. 8), is hereby GRANTED.

2. Any and all right, title, and interest of all persons in the world in or to the Defendant Property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein:

Approximately \$7,133 in Funds Seized from Clyde Anderson, Jr.

Signed: November 19, 2018



Robert J. Conrad, Jr.
United States District Judge

